



Posted : 03/17/2010 NF

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF PHARMACY
DATE AND TIME:	Wednesday, February 17, 2010 at 9:30 a.m.
PLACE:	Conference Room 1st floor, Cannon Building 861 Silver Lake Blvd., Dover, DE
APPROVED:	March 17, 2010

MEMBERS PRESENT

Sandra Robinson, R.Ph, Professional Member, President
Geoffrey N. Christ, Esq., R.Ph, Professional Member, Vice President
Sebastian Hamilton, R.Ph, Professional Member
Howard Simon, R.Ph, Professional Member
Don Holst, R.Ph, Professional Member
Joli Martini, R.Ph, Professional Member
Carolyn Calio, Public Member
David W. Dryden, R.Ph., J.D., Executive Secretary

MEMBERS ABSENT

Michael Hertzfeld, Public Member
David Bonar, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Allison Reardon, Deputy Attorney General
Nancy Fields, Administrative Specialist II
James Kaminski, R.Ph., Pharmacist Administrator

ALSO PRESENT

John Casalino, R.Ph., PharmD
Doug Lang
Lindsey Ayers
Francene Cohen
Suzanne Raab-Long
Trent Beach
Lucy Somer
Andrea D. Ferreira
John McKenna
Heidi Lueking
Phil Anderson
Tiffany Sorey
Sarah Houser
Peter Benjamin
David Sellis
Jeanne Chiquiore

CALL TO ORDER

Ms. Robinson called the meeting to order at 9:36 a.m.

REVIEW OF MINUTES

A motion was made by Mr. Holst, seconded by Mr. Simon, to approve the minutes as amended. The motion unanimously carried.

PRESIDENT'S REPORT

Ms. Robinson attended the Delaware Pharmacist Society Board meeting on January 26, 2010 at the Levin Center in Smyrna.

UNFINISHED BUSINESS

Legitimate Medical Purpose

Mr. Simon advised the Board that the language for the bill is currently in the process of being drafted.

Regulation 1 /Internship Hours

This topic of verifying intern hours was previously brought to the Board's attention when Mr. Dryden received a correspondence that New York State no longer sends verifications of intern hours over 1500 hours to other states because all internship programs in colleges are more than 1500 hours. The Board was interested in seeing if Delaware could do that as well. Ms. Reardon advised the Board that she reviewed the statute and confirmed that Delaware does not have a requirement for verifying intern hours. The Board agreed that the Board office does not have to send out verifications for intern hours with 1500 hours or more.

In reviewing the proposed Regulation 1.2.3.1, Ms. Robinson made a recommendation that a sentence be added to include that a letter from the college will also be accepted as proof that the applicant has completed all the requirements.

A motion was made by Mr. Hamilton, seconded by Mr. Holst to accept the change to regulation 1.2.3.1. The motion unanimously carried.

Ms. Reardon advised the Board that the Board's administration would like the Board to consider having an expiration date for Pharmacist Intern licenses. The Board office discovered that many interns get their Delaware Intern license, then move or get licensed in another state, and do not notify the Board office or ever get their Delaware Pharmacist license. In an effort to reduce inactive intern files, the Board office would like to have them expire after a reasonable period of time. After discussion, the Board agreed that Intern licenses can have an expiration date of 10 years from date of issue.

Drug Disposal and Distribution Review

Mr. Hamilton advised that he will be submitting the proposed pilot program to Mr. Dryden shortly so that it can be presented to the proper authorities.

Ms. Robinson advised that Senator Carson wants to have a meeting regarding House Bill 235 in the next week or two.

Regulation 14 Review - Administration of Injectable Medications

Mr. Holst stated that a Committee Meeting is scheduled for Tuesday, March 2, 2010 at 10:00 a.m. in Conference Room B of the Cannon Building to update the regulations.

Prescription Monitoring Program (PMP)

Mr. Dryden advised the Board that he was contacted by Senator Carper's office again regarding this program and that it may possibly be funded by NASPAR. A presentation was recently given to Governor Markell and was received positively.

NEW BUSINESS

Pharmacist-In-Charge (PIC) Interviews

Mr. Simon conducted the PIC interviews for Andrea Ferreira, Heidi Lueking, Lindsey Ayers, Sarah Houser, and John McKenna.

Ratification of Pharmacist Licenses

A motion was made by Mr. Holst, seconded by Mr. Christ, to ratify the licensure for the following individuals:

Eunice Cheung
Suresh Reddy Jannapally
Robert M. Alspach
Frank S. Breve
Matthew D. Roesch
Lou A. Mollichelli

The motion was unanimously carried.

Pharmacist Application Reviews

The Board reviewed the application for Ravi S. Pappu. Mr. Pappu had received a discipline in the state of Maine, which consisted of a warning, fine, and remedial education due to dispensing a mis-filled prescription. The Board agreed that Mr. Pappu complied with the Delaware laws by disclosing the discipline, which is not a bar for licensure, and that he is not a threat to public safety.

A motion was made by Mr. Christ, seconded by Mr. Hamilton, to approve Ravi S. Pappu for a Pharmacist license. The motion unanimously carried.

Pharmacist Consultant Interviews

There were no Consultant interviews.

Med Locker System Presentation

Representatives from Med Locker presented the Board with their automated dispensing system, which is also referred to as an electronic drug-locker. They answered questions from the Board.

A motion was made by Mr. Holst, seconded by Mr. Christ, to approve the automated dispensing system pending inspection. The motion unanimously carried.

State of Emergency for Pharmacists

A State of Emergency statement was issued by Governor Markell during the February snow storm that stated that retail businesses are not prohibited from opening but for the safety of employees, drivers should stay off the roads. This allows emergency personnel to handle their required duties and responsibilities. Board members would like to know if pharmacists are considered emergency or essential personnel and how their travel to their various work places should be handled.

Mr. Dryden was requested to send a correspondence to the Governor regarding this issue.

Ms. Reardon stated that she did not believe that the issue of whether a pharmacy required its pharmacists to come to work during a State of Emergency was a Board issue. Ms. Reardon read excerpts from the Governor's Executive Order and Title 20 related to the Governor's powers during an emergency specifying emergency management to include fire, police, and medical and health services. Ms. Reardon stated that is arguable that pharmacists fall within "medical and health services."

The Board would like guidance on whether Pharmacists fall within health services. The Board suggested that the Governor should create a list of emergency personnel so everyone will know if they are included for future reference, and it can be published in the newsletter for the Delaware Pharmacists.

Committee Reports

Joint Practice Committee – Don Holst and Howard Simon – Mr. Holst reported that 12 Advanced Practice Nurses (APN) were granted prescriptive authority in January and 8 were granted in February 2010.

Physician's Assistant Report – Sebastian Hamilton, R.Ph: - Mr. Hamilton advised that the council did not meet in February and the next meeting is scheduled for Tuesday, March 2, 2010.

Newsletter – Sandy Robinson, R. Ph., David Dryden, R.Ph., J.D, and Joli Martini, R. Ph.: Mr. Dryden advised that the newsletter articles were submitted to NABP and will be distributed shortly.

The website address for the Board of Pharmacy was permanently put on the header of the newsletter.

Legislative – Sandy Robinson, R.Ph, Howard Simon, R.Ph, Sebastian Hamilton, R.Ph, Don Holst, R.Ph, Geoffrey Christ, R.Ph., Esq., and David Dryden, R.Ph., J.D.:

Ms. Robinson advised that Senator Carson would like to meet with members of the Committee to discuss House Bill 235 in the next week or two.

Continuing Education – Sandy Robinson, R. Ph., Michael Hertzfeld, Geoffrey Christ, R.Ph., Esq., and Joli Martini, R. Ph.:

Widener University would like to be a provider for continuing education (CE) courses. They will be added to the approved providers list.

A motion was made to approve Widener University's CE application. The motion unanimously carried.

Consumer Affairs – Carolyn Calio, Michael Hertzfeld, and David Bonar: No report.

Professional Liaison – Sandra Robinson, R.Ph. and Don Holst, R.Ph: Ms. Robinson reported that The Annual Convention for the Delaware Pharmacists Society (DPS) is scheduled for May 12, 13, and 14, 2010 and has been moved to the Deerfield Golf and Tennis Club in Newark, DE. Rooms can be booked at the Marriott in Newark. Contact Maryanne Holzapfel for more information.

It was again mentioned that there will be an addition to the Wall of Bricks for a cost of \$125.00 for each brick. Kevin Musto is the contact person.

Ms. Robinson issued a reminder that the DPS building is available for rentals. For information, contact Michelle Pederson at 302-659-3088.

Ms. Robinson announced that DPS has entered into a partnership with the Division of Public Health for a training program for Pharmacists to immunize. Mark Freebury, R.Ph., is the contact person for this program and will be providing the training to the Pharmacists.

The next DPS meeting will be February 23, 2010.

Ms. Robinson advised that there is no information at this time for any upcoming events for the Delaware Society of Health System Pharmacists; however, she will let the Board know when she receives any information.

MPJE Study Committee – Don Holst, R.Ph, Sebastian Hamilton, R.Ph, and James Kaminski: The members will be having a workshop on April 9 and 10, 2010.

Controlled Substance Liaisons – Geoffrey Christ, Howard Simon, and Dave Dryden: Mr. Simon reported that the next Controlled Substance Committee meeting is scheduled for February 24, 2010 at 10:00 a.m.

Mr. Christ mentioned that the Division of Professional Regulation sent out letters to licensees and physicians regarding information on the new prescription pads.

Board Correspondence

A letter was received from Philip Price, applicant, who requested that his application be withdrawn due to the Board's previous decision to propose to deny his application.

A motion was made by Mr. Christ, seconded by Mr. Simon, to allow his application to be withdrawn. The motion unanimously carried.

Inspection Report

Mr. Dryden was requested to speak at the Widener University school of Law Health Law symposium to be held March 2-5, 2010. Mr. Dryden will speak about drug diversion.

The Board of Pharmacy, along with other Division Boards, was contacted by the media to supply professional disciplines imposed by the Board. There was some confusion with NABP supplying disciplinary action taken by the Board to the National databank. The National HIPDB and NABP records will be updated.

The NABP Annual Meeting will be held May 22-25, 2010 in Anaheim CA. Mr. Dryden will be attending as the Delaware delegate.

Fourteen physician non-compliant prescription blank violations were turned in to the investigative unit as a complaint. Inspections were conducted at seven pharmacies, four Controlled Substance Authority's, four clinics and two practitioners.

When deficiencies are found during the inspection process and audits are not acceptable, the office requires written responses from the pharmacist-in-charge (PIC) or notifies the facility a re-inspection will occur. There are four outstanding requests for a response at present. Three facilities are on hold for re-inspection.

Milton Pharmacy, Inc located at 614 Mulberry Street in Milton, DE closed on December 16, 2009.

Public Comment

Mr. Phil Anderson commented that emergency response teams should be put in place due to the hospitals always being open and emergency supplies are needed. Also, there should be some type of notification regarding open pharmacies.

Next Scheduled Meeting

The next meeting is scheduled for March 17, 2010 in Conference Room A.

Prescription Drug Abuse Video

The Board watched a new drug awareness DVD about teenagers that were addicted and abused prescription drugs. It shows how they became addicted, why, how it affected their lives and how they received help. This DVD is available to borrow from the Board office.

Adjournment

A motion was made by Mr. Christ, seconded by Mr. Hamilton, to adjourn the meeting. The motion unanimously carried. The meeting adjourned at 11:25 a.m.

Respectfully submitted,



Nancy Fields
Administrative Specialist II